

GERSHOM (CONTINUED) OR THE STORY OF THE NEGRO.

Lucian B. Watkins.

Then nation rose within itself and smote
Its brother to the heart in bitter war.
And wonder-eyed the bonded people
Saw the bodies of the dead into
The light of freedom's happy morning star.
It was God's way, we say, as looking back
Into the purgatory of the years
Two centuries and more in their length!
It was God's way that these sad-stricken years
Should bring to him into eternity
The blood and groans and tears of human hearts!
It was God's way that Israelites should mourn,
And that the tyrant Pharaoh's heart should flint,
And that his mighty plagues should smite the land;
It was God's way that Moses should be born
Unto his work of great deliverance,
And take an Ethiopian for his wife;
That Gershom should be born into this love,
It was God's way! The wheel of rolling time
Does in its mighty revolutions mark
The rise and fall of nations each in turn.
We've seen the Ethiopian banner set
In high exalted honors of the world;
Jethro, the priest of Midian have we seen
A mighty power and a man of wealth,
The father of Zipporah whom he gave
As wife to Moses, though in after years
Was Moses censured all because of this
His marriage to an Ethiopian maid.

(To Be Continued.)

NEGRO SUES THEATRE

They Wouldn't Seat Him in Hammerstein's Victoria, Davis Says.

James J. Davis, a negro of 41 West 133d street, before Magistrate Butts in West Side Court yesterday afternoon complained against George F. Knox, of 339 West Fifty-third street, head usher at Hammerstein's Victoria Theatre, charging Knox with violation of the equal rights law. Knox is also a negro.

Davis said that on March 12th he went to the Victoria Theatre, accompanied by his wife, to attend a matinee performance. His wife, he says, bought the tickets, which were for orchestra chairs, at the box office. The usher, according to the testimony, took the tickets from Mrs. Davis and started to seat her, but refused when he saw Davis. Mrs. Davis is very fair, with reddish hair and blue eyes, although a negress, while her husband's skin is dark brown.

Davis said the usher told him that they could be accommodated in the balcony, for which the tickets called. Then, according to his statement, the tickets were snatched from his wife's hand and balcony tickets of a different color substituted. When he continued to protest, Davis said, both he and his wife were ejected from the theatre.

The case was postponed until next Monday. Knox being held in \$100 bail, which was furnished by Henry Mock, superintendent of the Victoria Theatre.

Davis also instituted yesterday in the Seventh district municipal court two suits against Oscar and William Hammerstein, owner and manager respectively of the Victoria Theatre—one for \$2,000 charging assault and ejection, the other for \$500 for alleged discrimination. These suits will be heard today.—New York Sun, April 20, 1910.

BISHOP GAINES ARRESTED

He Explains the Cause—The Work of Enemies.

Camden, N. J., April 21.—Bishop Wesley J. Gaines, of Atlanta, Ga., who is holding the annual New Jersey conference of the A. M. E. Church, in this city, was arrested today on a charge of embezzlement. It is alleged he diverted to his own use \$150 that should have been appropriated to the superannuated ministers fund. The warrant was issued in Jersey City and was obtained by Rev. J. H. Morgan, of Bordentown, N. J., formerly secretary of the conference. Bishop Gaines was held in \$1,000 bail for a hearing before Justice of the Peace Miller in Jersey City. He declares the charge is the work of enemies. The bishop says he is allowed \$500 a year for expenses, and that he used the \$150 for legitimate needs with the approval of the financial secretary.

BOY KILLS HIS SISTER

Shoots Her With Flobert Rifle and Denies Knowledge of Crime.

Kinston, N. C., April 21.—A twelve-year-old son of Gas Sears, colored, who lives twelve miles from Kinston, yesterday shot his little two-year-old sister to death with a Flobert rifle. None of the shooting and almost an idiot, though he had cunning enough to deny shooting the little girl, and tried to place the blame on some one else, but evidence that he did the shooting himself is conclusive. The family of Sears has had quite a tragic career. Two years ago the home was burned, and two children lost their lives in the fire.

ATTENTION!

The Brotherhood of the Virginia Baptist State Convention:
Dear Brethren:
The Virginia Baptist State Convention will convene in Suffolk, Va., Wednesday, before the third Sunday in May. The battle cry is \$7,000. Let us all come prepared to do our whole duty; our cause is just and right. The seminary at Lynchburg, must be sustained and it will take money and not talk to do so.
The State Mission Board is in great need of money, for it is impossible to do mission work without money. Please don't forget the State Mission on your letters this year in your contribution. We need a good strong man on the field, and we need money to pay him. May the Lord bless you all.
From State Mission Board,
L. W. WALES, D. D. Chairman,
L. W. C. METTS, D. D. Sec't.

—Miss Mary E. Taylor, daughter of Mrs. Anna Taylor is quite sick at her residence, 120 W. Hill St. Mrs. Taylor will not be able to leave home until there is some improvement in her condition.

Mr. J. M. Clark, of Danville, Va., was in the city and called on us. He was en route to attend the meeting of the Board of Trustees, of Hampton N. and A. Institute, of which he is a member.

Y. M. C. A. Notes.

The membership meeting of the Y. M. C. A. was well attended last Friday evening, and much business of importance was accomplished. All the committees made excellent reports. Keep at it men and you will win every time for the right.

The explanation on the Sunday School lesson last Saturday was extremely helpful.

The meetings in the city home last Sunday were enjoyed by the inmates, and all were happy.

The jail committee did excellent work in the city jail last Sunday. Two prisoners accepted Christ.

Pres. W. H. Cary addressed the boys last Sunday. Subject: "The Industrious Boy." He made a great hit for good.

Dr. W. T. Johnson, pastor of the First Baptist Church, spoke to the men last Sunday from the depths of his soul. Subject: "Fishing for Men." If the men will put in practice what the Doctor said, untold good would be accomplished in a short time. Mr. Jacob M. Daly sang in the spirit of the hour. The meeting was a great one. The heart of a man was won for Jesus Christ.

You are invited today 5 P. M. to the Y. M. C. A. building to hear the explanation on the Sunday School lesson. Bring a friend.

Men be on time Sunday ready for hard work and the other man.
The boys will hold a special meeting Sunday 4 P. M. at the Y. M. C. A. building. Be on time.

Hon. William Hodges Mann, Governor of Virginia, will speak to men only Sunday 3:30 P. M. at the True Reformers' Hall. Subject: "Christian Citizenship." Hon. John Mitchell, Jr., will introduce the Governor. Col. Thomas M. Crump will sing special solos. Men be on time 3:30 P. M. Tell every man whom you meet.

Do not stop praying for the Y. M. C. A.

DR. WIMPELBERG, EYE-SIGHT SPECIALIST, is now permanently located at 18 East Marshall Street. Eyes examined free. Special attention given school children. Office hours: 3 to 8 P. M.

HISTORIC BROWNSVILLE DOCUMENT.

Basis Laid By Colored Lawyer For Fight To Be Made For "Black Battalion."

Basis for Marshall's Declination.

MAY IT PLEASE THE COURT:

The oldest and strongest presumption known to the common law of England and adopted by our country as the most sacred and inviolable cornerstone of its criminal jurisprudence is the presumption in favor of innocence of crime. In a comparatively recent decision in *Persons vs. State*, 90 Tenn., 291, it was held that no presumption in a criminal case can be allowed to operate against the presumption of the innocence of the defendant. There are no decisions, federal or state, to the contrary; and my departure from this basic principle might well be regarded as alarmingly subversive of our system of government. I, therefore, decline to submit an argument to this Court for two specific reasons: First, because the procedure adopted by the Re- court, leaves it undetermined in my mind whether this is a court of inquiry or a court-martial; or, in other words, whether the recorder is an impartial investigating officer or a prosecuting officer. Second, because the instructions of the Secretary of War to this court conflict so fundamentally and totally with my legal training as to make it impossible for me to build an argument which would attempt to prove a negative.

NO PROOF OF GUILT OF A SINGLE SOLDIER.

For these reasons I can neither argue nor can I appeal to your merciful consideration; for in all honor this honorable court is bound by the limitations imposed by the authority from which its instructions proceed. I can simply submit that the evidence before this court fails entirely to prove the guilt of a single soldier of companies B, C and D, 25th U. S. Infantry, discharged for alleged complicity in the shooting up of Brownsville, Texas, on the night of August 13-14, 1906.

RECORDS HIS OWN CONVICTION THERE IS NO GUILTY SOLDIER.

And in this connection I desire to record the fact that I have for over three years diligently and honestly striven to ferret out the persons engaged in this crime and that notwithstanding the fact that I have had close personal contact with nearly all the soldiers discharged as aforesaid, I have never adduced one clue which might lead to the identification of a single soldier. On the contrary my investigations have tended to the conclusion that the shooting up of Brownsville was not an affray, but a crime committed by persons not in the military service of the United States Government. The record of this will show that I offered to produce testimony of an affirmative and positive character giving the names of the participants in, and the details of, an alleged conspiracy to commit this crime.

The record of this court will also show that no effort has been spared to produce before this court evidence, no matter how flimsy or circumstantial, which might in the slightest degree tend to demonstrate the guilt of the men who formerly defended the flag and the honor of this, our common country. And yet I am not complaining for I have infinite faith in the judgment of a Divine Providence which, in the final analysis, holds for naught the judgments of mortal man and scorns of sophistry that although the integral parts of a given body may be innocent; the whole must be guilty. "Truth crushed to earth shall rise again."

N. B. MARSHALL,
Washington, D. C.

Recipe.

How to make a preparation to make your dry, brittle, and kinky hair soft and glossy. Price 15 one cent stamps. Address STAR FORMULA CO., Durham, N. C.

LOW FARES TO ASHEVILLE, N. C. VIA SOUTHERN RAILWAY.

Account General Conference M. E. Church, South. Tickets on sale May 2 to 11, inclusive, good returning until May 31, 1910. Rate \$11.50 round trip. Splendid opportunity to visit Western North Carolina, "The Land of the Sky!" For full information, apply nearest Southern Railway Agent, or write, S. E. BURGESS, D. P. A., 920 East Main Street, Richmond, Va.

Bishop W. J. Gaines is Accused of Embezzlement—Presiding Officer of A. M. E. Church Conference Held Under \$1,000 Bail For Further Hearing.

Camden, N. J., Special.

An unusual combination of circumstances prevails at the session of the annual conference of the African Methodist Episcopal Church, of New Jersey, which met Thursday at Camden, N. J., in its thirty-eighth annual session in Macedonia A. M. E. Church at Third and Spruce Streets, where the Bishop Wesley J. Gaines, is presiding and yet is held under \$1,000 bail on the charge of embezzlement some of the accounts of the conference funds.

Every effort was made to create an impressive scene when the conference opened this morning, but the friends of the Bishop prevented it. Instead of permitting his director to board the pulpit of Macedonia Church and be arrested just as he was in the act of calling the conference to order, his friends advised him that he had better accompany them to the nearest office of a magistrate and learn more about a warrant that was said to be out for his arrest. In the meanwhile it was learned that a constable from Jersey City had arrived in town and was hunting the Bishop to inform him that he was under arrest.

The Bishop was directed to go before Justice of the Peace T. P. Colding, at Ann and Chestnut Streets for a preliminary hearing. In the meantime while the secretary of the conference, Rev. Joseph H. Morgan, of Bordentown, was told that the Bishop was ready to submit to arrest and the secretary went to the office of the magistrate where he was met by the Bishop. Secretary Morgan was represented by Special Simpson, attorney at law, of this city.

The complaint was read and the Bishop admitted the charge except that the Finance Committee had authorized the payment of the alleged embezzled funds. He was immediately placed under \$1,000 bail for a further hearing to be held in Jersey City, Saturday morning at ten o'clock. Bail to the sum of \$1,000 was promptly supplied and the Bishop returned to resume the charge of conference. An effort was made to oust him on the charge of being under a criminal indictment but failed and the voice of Bishop Gaines prevails over the sessions.

The charges leading up to the arrest of the Bishop date back for some time. The complaint, however, which was made before Justice of the Peace Robert Miller, in Jersey City, on Tuesday, directs that the Bishop be taken into custody and brought to Jersey City to answer the charge of maladministration and misappropriation of funds in connection with the thirty-seventh annual session of the New Jersey Conference of the A. M. E. Church which was held in that city April 22-26, 1909. It is charged that he caused to be appropriated from the expense money that should have gone to the benefit of superannuated ministers and widows the sum of \$150. In accounting for this expenditure it is stated that the Bishop caused to be entered on the books of the conference "Miscellaneous Accounts of Conference, \$150."

Just how long this practice has been in existence the warrant does not state, but it is alleged by his accusers that he charges when pressed before court will show that it has been in progress for a number of years and that it's scope not only covers an operation in New Jersey, but also in New York and Pennsylvania, which conferences are also in charge of the Bishop, who has yet two years to serve before his time of appointment will expire.

It seems that the Bishop receives a salary of \$2,000 per annum as Bishop from all three conferences. To this amount he is allowed a special appropriation of \$500 as expense money. But from all accounts the members of the black cloth cannot live on that salary and is compelled to have other assistance. This seems to be the wrong doing of the Bishop. It is charged that the Bishop names his finance committee but a few minutes before the appointments in the judgment of the judges of the conference is the charge that no opportunity is given the conference to approve of the appointments of the Bishop, for if they did there would be some very undesirable appointments to follow. So that all which remains for the members of the conference is to let the appointments of the finance committee go by without a voice of protest.

Ten accusers of the Bishop charge that he meets the finance committee and directs them to appropriate the sum of \$150 to himself as "expenses." It is said that he has not yet been turned down in his demands and that in this sort of "graft" he receives at least \$5,500 more to his salary and expenses of \$2,500 annually. Although the case has taken on

a rather serious aspect and the outlook for his accusers seems very gloomy, provided that the Bishop will be permitted to make the appointments of this session. In fact it is understood that many of those slated to go down lower are asking to be transferred to other conferences in which the Bishop has no voice.

On the other hand the insurgents who are now holding down apparently good charges and feeding in green fields will be sent to new grounds and stony pastures at the end of the conference, if Bishop Gaines listens to the men who have stood by him during the past year.—Camden Daily Courier.

MILLER & RHODES DISCRIMINATES

No Colored Person Fitted in the Glove Department.

According to a statement made to us by Mrs. Sallie Lindsey, the Miller & Rhoads dry goods store does not desire the patronage of colored people who wish their gloves fitted, although they will be accommodated in any other department but the restaurant where refreshments and eatables are served. Mrs. Lindsey in company with Mrs. Miller, or Mrs. Miller in company with Mrs. Lindsey went to the Miller & Rhoads store and secured a ticket which enabled them to buy from the different departments and have it entered on one bill. They had purchased about forty dollars worth of goods, when they came to the glove counter and asked for gloves.

WANTED HAND FITTED.

The lady there asked the size. Mrs. Miller told her to fit them and held out her hand for the purpose. The lady stated that they did not fit gloves any more. Mrs. Lindsey remarked that she had just seen her fit a white lady. She then said that they did not fit colored people any more, and when pressed for the reason she stated that it was Mr. Miller's order. The customer stated that they would see Mr. Miller. They went to him and he bluntly told them that it was the order of the house not to fit colored people and that it was no more than the refusal to serve colored people in the dining department.

TORE UP THE TICKET.

Mrs. Miller tore up the ticket for goods she had purchased and walked out of the establishment. This affair occurred April 12th. Mrs. Miller is the wife of Mr. William Miller, the well-known hotel proprietor, who does business at Second and Leigh Streets. So far as we have been informed, this is the only dry-goods store in the city that makes this discrimination.

GOV. MANN TO COLORED PEOPLE

Gov. William Hodges Mann will address the men at the True Reformers' Hall tomorrow (Sunday), afternoon at 3:30 o'clock. This gratifying announcement has been made by Rev. Scott C. Burrell, the General Secretary of the colored Y. M. C. A. who was thoughtful and successful enough to secure the consent of this distinguished Virginian to speak to the colored people of this city. The announcement is all that is necessary to secure a large attendance. President R. T. Hill will preside and John Mitchell, Jr., President of the Mechanics' Savings Bank has been requested to introduce Virginia's Chief Executive.

Will Speak at True Reformers' Hall To-morrow.

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Natural Life. Do you love it? Read "Natural Life in the Human World."

The big little booklet. Interests everybody. 10 cents. Address LUCIAN B. WATKINS, M. T. D., Ft. Russell, Wyoming.

Damon and Pythias.

Come to the Fifth Street Baptist Church, Monday night, May 2, 1910, there you will see the full life of Damon and Pythias, and the parade of the last Grand Lodge, Knights of Pythias. Sacred music by Sharon Independent Band. Given under the auspices of Free Will Workers' Club. Admission ten cents. MRS. JOSIE A. GRAHAM, Free and Eureka Company, No. 1.

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5TH ST. BAPT. CHURCH.

Located, Cor. 5th and Jackson Sts., RICHMOND, VA.

Weekly News Column.

REV. W. F. GRAHAM, D. D., Pastor.

Residence: 108 E. Leigh St., Richmond, Va.

J. HENRY CRUTCHFIELD, Editor, Office: 1215 E. Broad St., Richmond, Va.

On Sunday the weather was changeable, first cloudy, then fair, afterward showery. The attendance at the churches, was fairly well. The Fifth Street Baptist Church had a glorious time throughout the day. At 9:30 o'clock Supt. Prof. B. H. Peyton opened Sunday School. The officers and teachers were at their post of duty; everything seemed lively. A large number of scholars were present. The music from the piano, played by Miss Annie Brown together with the sweet music from a large number of juvenile voices, filled the air with pleasing sounds. Chorister N. G. Booker deserves great credit for the interest taken in teaching little children how to sing so well. Next Sunday is banner day. Lively interest is being manifested by the classes competing for the banner. Services in this department were very good.

At 11:30 o'clock church services commenced. The attendance was fair. Our Pastor, Dr. W. F. Graham preached a most interesting sermon. Subject: "Two Sabbath's Incidents." He swayed the congregation giving the alkalies needed for the solution of some of life's problems. The choir is well up in the different branches of sacred music; they can sing shouts about as well as they can any other sacred music. Well, we like to see that in a choir, and since music is such a powerful element in every service, we feel that the choir will in a body some time in the near future, come out to the prayer meeting and sing as many shouts and spiritual hymns, as may be consistent with the occasion. The Fifth Street Baptist Church choir deserves great credit.

At 3:30 o'clock the church assembled to partake of the communion. The Pastor officiated. The deacons served the elements, while the other officers discharged their several duties. Communion is always interesting. The members really enjoyed themselves. A good attendance was present and everything encouraging. This was one of the best communions the church has witnessed this year. At night the day's services were closed with an extra fine sermon from the Pastor.

Don't fail to attend the prayer services each Wednesday night.

These meetings are of value to you. They are so to speak, drill nights. No member can be spiritually strong who does not exercise prayer. The early Christians always assembled themselves together in such meetings; from them they gained strength and the favor of God. Don't drift too far from the old land mark. There is nothing which exceeds prayer, except the answer thereto, worship and praise.

Remember the B. Y. P. U. meets every Friday night, at 8:30 o'clock.

Pres. John W. Howard is laboring hard. Come out and help. A fine program is arranged for next Friday night. The exercises last Friday night were grand.

The Pastor will preach next Sunday morning and night.

Don't forget to re-register your name.

Richmond, Va., April 26, 1910.

I take this method of returning thanks to my friends for kindness and assistance to me and my children, during the illness and death of my son.

Especially do I return thanks to the good people of Ninth Street, who cared for my four motherless children and to the members of the Fifth Street Baptist Church, who so willingly came to my aid in a financial way.

God bless you all.

PETER MILES,
740 N. Ninth Street.

Damon and Pythias.

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Odd Fellows to Celebrate Their Sixty-seventh Anniversary.

The members of the G. U. O. of Odd Fellows will celebrate their sixty-seventh anniversary at the Fifth Street Baptist Church, Sunday, May 8th, at 3:30 P. M. Dr. W. F. Graham will preach the sermon. The Households of Ruth will assemble in the basement of the church at 3 o'clock. The Richmond Patriarch No. 6, Capt. C. W. Young, commanding, will lead the parade to the church.

M. V. P., MORTON DEANE, Chairman.
P. N. F. A. B. HAWKINS, Secretary.
General Committee.

Brilliant Marriage.

The marriage of Miss Rosa Brown to Mr. Emmett Botts was solemnized Wednesday night, April 29, 1910 at the Mt. Olive Baptist Church, Rev. Lucas officiating. The reception was held at the home of the bride, Stop No. 12, (Petersburg Turnpike) and the contracting parties were the recipients of many presents and congratulations of their friends.

—The Golden Wedding of Mr. and Mrs. R. T. Coghill, Sr. will be celebrated the 5th of May (next Thursday night) at their residence 1017 Hull Street, Washington Ward. Friends are invited.

Mr. E. D. Nelson, of Surry Co., Va., was here last week on business.

He was looking the picture of health. While here he was the guest of Mrs. Amelia Jones, 200 W. 21st Street, Washington Ward.

Passed Away.

Entered into eternal rest, Wednesday, April 27, 1910, about 6 o'clock P. M., Mr. James Braxton, at his late residence, 1110 Tyler Street, after an illness of four months.

He lived a consistent and exemplary christian life, died in full assurance of faith.

He was a faithful member and deacon of the Fifth Baptist Church, for about thirty years.

He leaves a devoted wife, Mrs. Minerva Braxton, one son, John H. Braxton, two daughters, Mrs. Sarah C. Fowkes, and Mrs. Henrietta C. Pleasant and a host of relatives and friends to mourn their loss.

His funeral was held from the Ebenezer Baptist Church, Friday afternoon at 2:30 o'clock.

The following gentlemen acted as pallbearers:

Active—Messrs. Isaiah Scott, Isaac Crump, John Bly, Sidney Robinson, Samuel Roane, Robert Ferguson.

Honorary—W. H. White, Shepherd Shorts, W. D. Poindexter, John P. Graham.

The funeral designs were numerous and costly. Mr. A. D. Price, officiated.

A precious one from us is gone,
A voice we loved is stilled;
A place is vacant in our home
Which never can be filled.

His Bereaved Wife and Children.

Mrs. Thompson Returns.

—Mrs. W. B. F. Thompson made a hurried trip to Orange, N. J., on account of the illness of her sister, Miss Paula Jones, who was in the hospital there. She made side trips to New York City, Coney Island, Newark, N. J., and visited several of her relatives, among them Mr. Isaac Holt, her Uncle and Mr. and Mrs. Sam Holt and Mrs. Robert Foster, her cousins. She brought her sister to Richmond on the 19th ult.

Whereabouts of Mr. Martin.

Kindly let me know what you can of a party by the name of Armistead A. Martin. I think he has some relatives in Richmond and his mother resides in New London, Conn. He disappeared from home very mysteriously April 13, 1910. If you can furnish any information of his whereabouts or his relatives, please communicate with his wife, Mrs. A. A. Martin, 727 Gates Ave., Brooklyn, N. Y.

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